REGISTERED No. M. 4631

GAZETTE EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VI. No. 2

Trivandrum, Friday, 21st January 1955|8th Makaram 1130

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NOTIFICATION

No. LA4-71|1955.

The following Bill together with the Statement of Objects and Reasons is published as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Travancore-Cochin Legislative Assembly.

Legislature Secretariat, 21st January 1955.

V. KRISHNAMOORTHI, Secretary, Assembly.

THE INDIAN REGISTRATION (TRAVANCORE-COCHIN AMENDMENT) BILL.

A Bill further to amend the Indian Registration Act, 1908, in its application to the State of Travancore-Cochin.

Preamble. WHEREAS it is expedient further to amend the Indian Registration Act, 1908 (Central Act XVI of 1908), in its application to the State of Travancore-Cochin, for the purposes hereinafter appearing;

Be it enacted in the Sixth Year of the Republic of India as follows:—

Short title, extent and commencement—1. (1) This Act may be called the Indian Registration (Travancore-Cochin Amendment) Act, 1955.

(2) It extends to the whole of the State of Travancore-Cochin.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

Amendment of Section 10, Central Act XVI of 1908—2. In Section 10 of the Indian Registration Act, 1908 (Central Act XVI of 1908), hereinafter referred to as the said Act—

(a) in sub-section (1), the brackets and figure "(1)" and the words "other than the Registrar of a district including a Presidency town" shall be omitted; and

(b) sub-section (2) shall be omitted.

Amendment of Section 30, Central Act XVI of 1908—3. In sub-section (2) of Section 30 of the said Act, for the words "The Registrar of a district including a Presidency town", the words "The Registrar, Trivandrum district," shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

Sub-section (2) of Section 30 of the Indian Registration Act as in force in the State of Travancore-Cochin lays down that the Registrar of a District including a Presidency town may receive and register any document referred to in Section 28 without regard to the situation in any part of the Provinces of the property to which the document relates. Since there is no Presidency town in this State, the powers conferred by sub-section (2) of Section 30 cannot be exercised by a Registrar of a district. It is considered that the Registrar, Trivandrum District, should have power to receive and register any document referred to in Section 28 without regard to the situation of the property to which the document relates. For this purpose, it is necessary to suitably amend Section 30. Hence the Bill. The amendment proposed to Section 10 is consequential.

P. K

NOTIFICATION

No. LA4-81|1955. *21st January 1955.*

The following Bill together with the Statement of Objects and Reasons is published as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Travancore-Cochin Legislative Assembly.

Legislature Secretariat,
Trivandrum.

V. KRISHNAMOORTHI,
Secretary, Legislative Assembly.

THE TRAVANCORE-COCHIN HINDU RELIGIOUS INSTITUTIONS (AMENDMENT) BILL, 1955.

A Bill further to amend the Travancore-Cochin Hindu Religious Institutions Act, 1950.

Preamble.—WHEREAS it is deemed expedient further to amend the Travancore-Cochin Hindu Religious Institutions Act, 1950 (Act XV of 1950), for the purposes hereinafter appearing;

BE it enacted in the Sixth Year of the Republic of India as follows:—

1. **Short title, and commencement**—(1) This Act may be called the Travancore-Cochin Hindu Religious Institutions (Amendment) Act, 1955.

(2) It shall come into force at once.

2. **Insertion of new Section 4A in Act XV of 1950**—After Section 4 of the Travancore-Cochin Hindu Religious Institutions Act, 1950 (Act XV of 1950), hereinafter referred to as the said Act, the following Section shall be inserted, namely:—

Validity of proceedings.

"4A. No act or proceeding of the Board shall be deemed to be invalid by reason only of a defect in its constitution or on the ground that the President or any member thereof was disqualified for, or had ceased to hold, his office, or by reason of such act or proceeding having been done or taken during the period of any vacancy in the office of the President or any member of such Board."

3. **Insertion of new Section 72A in Act XV of 1950**—After Section 72 of the said Act, the following Section shall be inserted, namely:—

Validity of proceedings.

"72A. No act or proceeding of the Board shall be deemed to be invalid by reason only of a defect in its constitution or on the ground that the President or any member thereof was disqualified for, or had ceased to hold, his office, or by reason of such act or proceeding having been done or taken

during the period of any vacancy in the office of the President or any member of such Board."

4. **Validation of certain acts, etc., of the Cochin Devaswom Board**—All acts done and all proceedings taken by the Cochin Devaswom Board in the exercise or purported exercise of jurisdiction or powers conferred by the said Act while any member of the said Board was disqualified or during the period of any vacancy in the said Board are hereby declared to have been validly done or taken, as the case may be.

5. **Repeal**—The Travancore-Cochin Hindu Religious Institutions (Amendment) Ordinance, 1954 (I of 1954) is hereby repealed.

Statement of Objects and Reasons.

In a recent judgment, the Travancore-Cochin High Court has declared void the election held in the month of June 1954 of one of the members of the Cochin Devaswom Board on the ground that he was on the date of nomination and election holding an office under a local authority. Consequently the elected member ceased to hold office and there are at present only two members on the Board including the President. Section 63 of the Travancore-Cochin Hindu Religious Institutions Act, 1950, lays down that the Board shall consist of three members. There is however no express provision in the Act enabling the Board to act when there is a vacancy in the office of a member. It was therefore considered advisable to suitably amend the Act by inserting a provision to the effect that no act of the Board shall be deemed to be invalid by reason only of a defect in its constitution, or on the ground that the President or any member thereof was disqualified for, or has ceased to hold, his office, or by reason of such act having been done during the period of any vacancy in the office of the President or any member of the Board. Accordingly His Highness the Raj Pramukh promulgated the Travancore-Cochin Hindu Religious Institutions (Amendment) Ordinance, 1954, published as Ordinance I of 1954. The Bill is intended to replace the Ordinance by an Act of the Legislature.

A. Thanu Pillai.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT CENTRAL PRESS, TRIVANDRUM, 1955.